

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHUOLJOCK LIA, and NYAWAL TAT,)
)
Plaintiffs,)
)
v.)
)
NEBRASKA DEPARTMENT OF)
CORRECTIONAL SERVICES,)
)
Defendant.)

CASE NO. 8:08CV338

MEMORANDUM
AND ORDER

This matter is before the court on its own motion. The Complaint in this matter was filed on July 31, 2008, by Plaintiffs Chuoljock Lia and Nyawal Tat. (Filing No. [1](#).) However, the Complaint was deemed deficient because it was not signed by Nyawal Tat.¹ Under [Federal Rule of Civil Procedure 11](#), “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” [Fed. R. Civ. P. 11](#).

On August 14, 2008, the Clerk of the Court entered a Text Notice of Deficiency (Filing No. 7), and mailed a copy of this Notice to the address provided in the Complaint. The deficiency was therefore called to Plaintiffs’ attention on or about August 14, 2008. Two months have passed since the court mailed the Notice of Deficiency (Filing No. 7) and Nyawal Tat has yet to actually sign the Complaint as required under [Federal Rule of Civil Procedure 11](#). Accordingly, Nyawal Tat is dismissed from this action.

IT IS THEREFORE ORDERED that:

1. Nyawal Tat is dismissed as a Plaintiff from this action; and

¹Plaintiff Chuoljock Lia has filed several Complaints with similar signature deficiencies in this court. (See e.g. Case Nos. 8:07CV89, 8:07CV115, and 4:07CV3104.)

2. Plaintiff Chuoljock Lia remains a Plaintiff in this action and remains obligated to pay the full filing fee in accordance with the court's Memorandum and Order granting his Motion to Proceed In Forma Pauperis.

DATED this 22nd day of October, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge